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Date: May 15, 2001

TO: Name: Examiner Patricia K. Bex
Group 1743

Company: U.S. Patent & Trademark Office

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FROM: Sender Name: BRIAN M. GAFF, ESQ. (REG. NO. 44,691)

Number of Pages INCLUDING This Cover Sheet: 13

Client: 2174/29

Comments: Serial No. 09/156,952 Amendment After Final Under 37 C.F.R. § 1.116.

Examiner Bex: Here is the amendment we discussed in our telephone interview yesterday.

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PATENT
Attorney Docket No. CYM-025
(2174/29)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Ostgaard et al.
SERIAL NO.: 09/156,952 GROUP NO.: 1743
FILING DATE: 18-Sept-1998 EXAMINER: Patricia K. Bex
TITLE: SAMPLE VIAL FOR USE IN PREPARING
CYTOLOGICAL SPECIMEN

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and any documents referred to as attached hereto are being transmitted to the United States Patent and Trademark Office, Facsimile No. (703) 305-3599 on this 15th day of May, 2001.


Betty B. Leveriza

Attached are:

1. Transmittal Form (1 pg.);
2. Amendment and Response (9 pgs.); and
3. Associate Power of Attorney (1 pg.)

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TRANSMITTAL
FORM

Application Serial Number	09/156,952
Filing Date	September 18, 1998
First Named Inventor	OSTGAARD
Group Art Unit	1754
Examiner Name	Patricia K. Bex
Attorney Docket No.	CYM-025
BATCH NO. (after allowance)	N/A
Patent No.	N/A
Issue Date	N/A

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ENCLOSURES (check all that apply)

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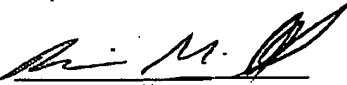
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Ostgaard et al.
SERIAL NO.: 09/156,952 GROUP NO.: 1743
FILING DATE: 18-Sept-98 EXAMINER: Patricia K. Bex
TITLE: *Sample Vial for Use in Preparing Cytological Specimen*

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Commissioner for Patents
Washington, D.C. 20231

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116

In response to the Office Action, Paper No. 13, mailed from the U.S. Patent and Trademark Office on March 20, 2001, for which the period of response is set to expire on June 20, 2001, Applicants respectfully request entry of this amendment and response.

Please amend the above-identified patent application as follows, without prejudice. In accordance with 37 C.F.R. § 1.121, attached to the end of this Amendment and Response is a marked up version of the amended items showing all changes relative to the previous version.

IN THE CLAIMS:

Please amend claim 1 as follows:

1. (Three times amended) A sample vial for use in an automated test apparatus, the sample vial comprising:
- a body comprising an outer surface, an open end, a closed end, and at least one anti-rotation lug about said body outer surface;

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